

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP PATENT APPLICATION

U.S. Patent and Trademark Office  
2011 South Clark Place  
Crystal Plaza Two, Lobby Room 1B03  
Arlington, VA 22202



TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b) for:

Inventor(s):

CASTLE	Arthur	L.
ELASHOFF	Michael	
JOHNSON	Kory	R.
PORTER	Mark	W.

For: METHODS FOR CLASSIFICATION OF BIOLOGICAL DATA

1. This is a new ☒ Utility ☐ Design ☐ Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:  
34 Pages of Specification including  
03 Pages of Claims  
01 Page(s) of Abstract  
04 Sheets of Figures (Figs. 1-4)
3. Combined Declaration and Power of Attorney  
☐ Enclosed and is executed by all inventors.  
☒ Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. § 1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the  
time set for filing the Declaration and paying the filing fees.

## 4. Language

☒ English☐ Non-English

This application is being filed in accordance with 37 C.F.R. § 1.52(d) and § 608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

## 5. Assignment

☐ An assignment of the invention to Gene Logic, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.☒ An assignment will be filed at a later date.

## 6. Priority – based on U.S. application (s) – 35 U.S.C. § 120

☒ Priority of the following U.S. application(s) is claimed:

Application No.	Filed
09/917,800	July 31, 2001

## 7. Priority based on provisional application(s) - 35 U.S.C. § 119(e)

☒ Priority of the following provisional application(s) is claimed:

Application No.	Filed
60/400,099	August 2, 2002

## A. Relate Back - 35 U.S.C. § 119(e)

- ☐ Amend the specification by inserting before the first line the sentence:  
 "This application claims priority of copending provisional  
 application(s) No. \_\_\_\_\_ filed on \_\_\_\_\_."

## 8. Small entity status

- ☐ Applicants qualify as a small business concern as defined in 37 CFR 1.27  
 (a)(1) through (a)(3), for purposes of paying reduced fees under Section 41(a)  
 and (b) of Title 35, United States Code.

## 9. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$750.00 Design \$330.00
Total Claims (37 C.F.R. § 1.16(c))	00 20 =	00	\$ 18.00 each=	+ \$000.00
Independent Claims (37 C.F.R. § 1.16(b))	00- 3 =	00	\$ 84.00 each=	+ 000.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$270.00	+
SUB-TOTAL =				\$ .00
Reduction by 1/2 for filing by a small entity				- \$ .00
TOTAL FILING FEE =				\$ .00

## 10. Fee Payment

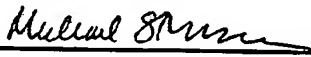
- ☒ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT  
 ACCOUNT AT THIS TIME.**  
 This application is being filed under the provisions of 37 C.F.R. § 1.53(f).  
 Applicant(s) await notification from the Patent and Trademark Office of the  
 time set for filing the Declaration and paying the filing fees.

11. ☐ Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).
12. Additional papers enclosed:
- ☐ Preliminary Amendment
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449, \_\_\_\_\_ references included
  - ☐ Declaration of Biological Deposit
  - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

  
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Michael S. Tuscan  
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Dated: August 4, 2003

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